



This form is to be used in conjunction with a rule review when ancillary documents are also being reviewed as part of the review process.

Ancillary documents are interpretive or policy statements that advise the public of the Department's opinions, approaches, or likely course of action. They include documents such as Excise Tax Advisories (ETAs), Property Tax Bulletins (PTBs), and Revenue Policy Memorandums (RPMs). Ancillary documents do not have the "force of law" that a rule is given under the Administrative Procedures Act (Chapter 34.05 RCW). Court decisions, Board of Tax Appeals decisions (BTA), and Washington Tax Decisions (WTDs) **are not** ancillary documents.

Reviewer: JoAnne Gordon Date Reviewed: December 5, 2001

Ancillary Document being reviewed
(provide number and title): ETA 318.04.106/211
Sales and/or trade-ins of tangible personal property
from rental inventory

Date last Issued: December 31, 1992

This document is being reviewed in conjunction
with (provide WAC number and title): WAC 458-20-211
Leases or rentals of tangible personal
property, bailment

Purpose of the document: ETA 318 explains that the sale of property held for rental is a taxable event and not a casual or isolated sale as contemplated by WAC 458-20-106. The ETA also explains that the trade-in of property held for rental is a taxable event as the buyer receives consideration in the form of a reduced price for the property being purchased.

	Yes	No
Is the document clearly written?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Yes	No
Does the document provide accurate and useful information?	<input checked="" type="checkbox"/>	<input type="checkbox"/>



	Yes	No
Does the document provide information not currently in the rule?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Review recommendation:	A. Update	<input type="checkbox"/>
	B. Repeal	<input type="checkbox"/>
	C. Leave as is	<input type="checkbox"/>
	D. Incorporate into rule and repeal	<input checked="" type="checkbox"/>

Briefly explain your recommendation:

The previous review of ETA 318 recommends repealing the ETA after incorporating the information in WAC 458-20-247 (Trade-ins, selling price, seller's tax measures). Information concerning how tax applies to the trade-in of property held for rental was incorporated in a recent revision of WAC 458-20-247. However, further review of the ETA indicates that information about how tax applies to the sale of such property is pertinent to WAC 458-20-211. The ETA should be repealed after the information in incorporated in this rule.

Manager Action:	<input type="checkbox"/> Accepted recommendation	Date: _____
	<input type="checkbox"/> Returned for further review	Date: _____

Comments _____